

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

ALI AL-TIMIMI,

Defendant.

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Criminal No. 1:04-cr-385

Notice

1. A jury convicted the defendant, Ali Al-Timimi, in 2005 of various terrorism-related offenses. The Court later sentenced Al-Timimi to life imprisonment plus 30 years.

2. Although Al-Timimi noted his appeal in 2005, his direct appeal is still pending and unbriefed before the Fourth Circuit.

3. In 2005, the Fourth Circuit granted Al-Timimi's unopposed motion to remand for this Court to address purported discovery violations. Extensive litigation ensued, culminating in this Court's comprehensive 2014 opinion denying Al-Timimi relief. (ECF No. 357.)

4. Al-Timimi again appealed, but then asked the Fourth Circuit for a remand to again address purported discovery violations. The Fourth Circuit granted Al-Timimi's motions and litigation ensued before this Court.

5. In 2016, Al-Timimi received permission from the Fourth Circuit to expand the scope of the second remand to pursue unrelated crime-of-violence challenges. Al-Timimi then moved for acquittal on Counts 1, 7, and 8 and further litigation ensued before the Court.

6. Al-Timimi's discovery and acquittal challenges are fully briefed and pending before the Court.

7. In August 2020, the Court granted Al-Timimi's motion for bail pending appeal.

8. Al-Timimi's appeal awaits the Court's disposition of his discovery and acquittal motions.

9. The government requests that the Court resolve the pending litigation so that Al-Timimi can perfect his appeal in the Fourth Circuit.

Respectfully submitted,

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By: /s/
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Certificate of Service

I hereby certify that on April 10, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

By: _____ /s/
Gordon D. Kromberg
Assistant United States Attorney